

NEW BUSINESS
REFERRAL

10-15-19.

**INTERNAL
OPERATIONS
STANDING
COMMITTEE**



12

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 1126
Detroit, Michigan 48226

Phone 313•224•3400
Fax 313•224•4128
www.detroitmi.gov

October 10, 2019

The Honorable City Council
City of Detroit
Coleman A. Young Municipal Center
2 Woodward Ave., Suite 1340
Detroit, MI 48226

Re: Joint appointment to the Board of Ethics

Dear Honorable City Council Members:

It gives me great pleasure to present for your approval Jesus M. Hernandez as our joint appointee to the Board of Ethics. His resume and a resolution are attached.

If you have any questions or concerns please contact Elisa Malile, Deputy Chief of Staff, at 313.628.2285 or by email at malilee@detroitmi.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael E. Duggan'.

Michael E. Duggan
Mayor

Enclosures

cc: Alexis Wiley, Chief of Staff, Mayor's Office
Elisa Malile, Deputy Chief of Staff, Mayor's Office
Stephanie Washington, City Council Liaison, Mayor's Office

Overview

Engagement-driven professional specializing in program management and strategy, communications, corporate diversity and community partnerships.

Key Qualifications

- Exceptional communicator with ability to navigate multi-level leadership
- Strong analytical, event planning, and organizational skills
- Excellent interpersonal and relationship-building acumen
- Proficient with Microsoft Office Applications
- Aspire, SharePoint, Taleo, PeopleSoft
- Fluent in Spanish

Education



WAYNE STATE UNIVERSITY
MIKE ILITCH
SCHOOL OF BUSINESS

– *Bachelor of Science: Accounting*

2013

Experience

DTE – *HR Diversity and Inclusion Specialist*

03/2018 – Present

Responsible for driving the implementation of sustainable initiatives to support the growth and maintenance of a culture of diversity & inclusion across the enterprise.

Partner with internal and external stakeholders on strategies to activate leaders on diversity & inclusion.

Work collaboratively on the development and monitoring of metrics focused on measuring the effectiveness of diversity & inclusion initiatives.

Analyze and report on key diversity metrics; create executive summaries and develop recommendations.

Serve as advisor with all eight (8) Employee Resource Groups, which includes defining and implementing support processes, establishing program development, and ensuring output goals.

Develop recommendations, as necessary, based on Gallup engagement survey results.

Prepare data, reports and presentations for management review.

Provide guidance and support to HR operations teams, as well as enterprise-wide, on the implementation and execution of diversity and inclusion strategies.

Administer and maintain Aspire learning plans and custom reports.



Blue Cross
Blue Shield
of Michigan

– *Diversity Program Coordinator*

08/2014 – 03/2018

Led and coordinated the events and activities of ten (10) enterprise-wide Employee Resource Networks, as part of the corporate strategic plan, focused on professional growth, development, and comprehensive program planning through diversity.

Responsibilities included:

- Managed Diversity and Inclusion special events and programs to promote employee engagement and recruitment, including the annual Diversity Expo and ERN special events.
- Worked with HR business partners, corporate procurement and legal staff to ensure alignment with corporate policies and procedures.



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October 11, 2019

Jesus M. Hernandez
1150 Campbell
Detroit, MI 48209

Dear Mr. Hernandez:

It gives me great pleasure to appoint you to the Board of Ethics. Your term begins immediately and expires April 30, 2023.

Charity Dean, Group Executive of Civil Rights, Inclusion, & Opportunity, will contact you to provide meeting schedules and other pertinent board information.

Thank you in advance for serving the citizens of Detroit. I look forward to working with you.

Should you have any questions or need additional information, please contact Elisa Malile at (313) 628- 2285.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael E. Duggan'.

Michael E. Duggan
Mayor

Enclosures

cc: Alexis Wiley, Chief of Staff, Mayor's Office
Elisa Malile, Deputy Chief of Staff, Mayor's Office
Stephanie Washington, City Council Liaison, Mayor's Office



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BY ALL COUNCIL MEMBERS

RESOLVED, that the joint appointment by His Honor the Mayor and the Honorable City Council, of the following individual to serve on the city of Detroit Board of Ethics for the corresponding term of office indicated be and the same is hereby approved.

TERM
MEMBER

Jesus M. Hernandez

TERM
COMMENCES

Immediately

EXPIRES

April 30, 2023

Adopted as follows:

Yeas: _____

Nays: _____

WAIVER OF RECONSIDERATION

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LAW DEPARTMENT

Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 500
Detroit, Michigan 48226-3437

Phone 313•224•4550
Fax 313•224•5505
www.detroitmi.gov

July 2, 2019

HONORABLE CITY COUNCIL

RE: Warwick, Robin v City of Detroit and Julia Harris and Devonte Wheatley
Case No: 17-016552-NI
File No: L17-00795(RG)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Thirty-Five Thousand Dollars and ^{NO}/Cents (\$35,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Thirty-Five Thousand Dollars and ^{NO}/Cents (\$35,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Robin Warwick and **her** attorney, Joseph R. Lobb, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 17-016552-NI, approved by the Law Department.

Respectfully submitted,

Raymond Garant
Assistant Corporation Counsel

APPROVED: **JUL 02 2019**
LAWRENCE GARCIA
Corporation Counsel

BY:

James D. Nosedá
Supervising Assistant Corporation Counsel

Attachments

CITY OF DETROIT JUL 02 2019

R E S O L U T I O N

BY COUNCIL MEMBER _____:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Thirty-Five Thousand Dollars and ^{NO}/Cents (\$35,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Robin Warwick and **her** attorney, Joseph R. Lobb, in the amount of **Thirty-Five Thousand Dollars and ^{NO}/Cents (\$35,000.00)** in full payment for any and all claims which Robin Warwick may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about 08/10/2017, and otherwise set forth in Case No. 17-016552-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 17-016552-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

APPROVED:
LAWRENCE GARCIA
Corporation Counsel

BY:



James D. Nosedá
Supervising Assistant Corporation Counsel

Approved by City Council: _____

Approved by the Mayor: _____

PRIVILEGED & CONFIDENTIAL

L A W S U I T S E T T L E M E N T M E M O R A N D U M

Warwick, Robin v City of Detroit and Julia Harris and Devonte Wheatley
17-016552-NI
L17-00795
RG

PLAINTIFF'S NAME: Robin Warwick
DATE OF INCIDENT: August 10, 2017
TIME OF INCIDENT: 9:30 p.m.
LOCATION OF INCIDENT: Curtis and Appoline

SUMMARY OF INCIDENT:

On August 10, 2017, Plaintiff, Robin Warwick, was a passenger on a DDOT bus. As the bus was traveling eastbound on Appoline, a motorist disregarded a stop sign, T-boning the bus near the rear door on the passenger side of the bus.

MEDICAL TREATMENT/DIAGNOSIS:

Plaintiff did not take EMS to a hospital following the accident. Instead, she walked home. Later, Plaintiff claimed injuries to her back, neck, hip, and leg. Plaintiff also treated for depression and headaches, despite not claiming any injury to her head.

Plaintiff's medical history is significant for depression and Lupus. Plaintiff has been fully disabled by the Social Security Administration since 2007 for those ailments.

CASE EVALUATION: \$19,000.00

LIABILITY/EVALUATION:

In accordance with the Michigan No Fault Act, the City is liable for payment of First Party Personal Injury Protection (PIP) benefits to individuals injured by, or on-board, a City bus while it is being used as a mode of transport. However, a claimant must show that he has no other applicable automobile insurance. Whether the City's vehicle was operated in a negligent manner is immaterial for the purposes of a PIP claim seeking reimbursement for economic loss.

Plaintiff had no auto insurance coverage and was injured on the bus while it was being used as a motor vehicle. Accordingly, the City is liable for payment of benefits. These benefits include "all reasonable charges incurred for reasonably necessary products, services and accommodations for an injured person's care, recovery or rehabilitation." Failure to pay the benefits within 30 days after receipt of proof of loss subjects the City to liability for statutory penalty interest and attorney fees.

At Case Evaluation, Plaintiff requested an award of \$63,768.84. An experienced case evaluation panel considered this matter and fixed its value at \$19,000.00, which the City both parties rejected. At Facilitation, Plaintiff added an additional \$56,315.00 physical therapy bill and

a \$38,244.48 transportation bill. Plaintiff agreed to accept settlement in the amount of \$35,000.00 with a waiver of all future PIP benefits. The amount of unpaid benefits in this case is disputed, and would be a question for a jury. Similarly, it would be a question for a jury whether benefits should have been terminated in this case, and whether medical bills that accrued after termination were reasonable and necessary. Settlement insulates the City from the expense of a trial, and from a potentially higher adverse verdict. It also eliminates the possibility of additional expense in the form of taxable costs, which would include 12% interest and attorney fees as provided for by the law. Settlement also prohibits Plaintiff from seeking any future medical benefits based on this incident. Consequently, settlement of this case is recommended.

AMOUNT OF SETTLEMENT

RECOMMENDED: \$35,000.00 with future benefits

RISK MANAGEMENT

MEASURES:

None.

**Raymond Garant
LAWSUIT SETTLEMENT
\$35,000.00**